

QUIRK AND BAKALOR, P.C.

COUNSELORS AT LAW

835 THIRD AVENUE

NEW YORK, N.Y. 10022-6601

(212) 319-1000

FAX (212) 319-1065

RICHARD H. BAKALOR
STEPHEN B. BLUNDA
JEFFREY J. ELLIS
RICHARD M. FREEMAN
SCOTT E. TAYLOR
H. NICHOLAS GOODMAN
TIMOTHY J. KEANE
LORETTA A. REDMOND
DOMINIC S. CURTO
STEVEN A. LEE

WESTCHESTER OFFICE
1269 NORTH AVENUE
NEW ROCHELLE, N.Y. 10804

ROBERT R. QUIRK
OF COUNSEL

ALSO ADMITTED IN FLORIDA
** ALSO ADMITTED IN NEW JERSEY
** ALSO ADMITTED IN MASSACHUSETTS
ALSO ADMITTED IN MINNESOTA

MEMO ENDORSED

DEBORA E. SHIDMAN
ANOUSHA S. BAYLEY
BRIAN P. SENTON (I)
DONNA H. BAKALOR (I)
LIZA B. PEISSIG
GLORIA R. DUNN
DARA L. ROSENBAUM (I)
CHARLES M. HENDERSON (I)

JONI M. MAXWELL
ROBERT B. ACKER
JEANNE M. BOYLE (I)
ROBERT M. NASH
KRISTY J. ROGERS
CATHERINE RETTIG (I)
WINSTON D. MARSH (I)

November 7, 2007

Via Facsimile (212) 805-6181

Honorable Douglas F. Eaton
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1360
New York, New York 10007

USDC SDNY
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Re: Evart Enterprises v. Gentlemen's Video, et al.

07 Civ. 5441 (DLC) (DFE)

This is an ECF case.

Dear Magistrate Eaton:

This firm represents Plaintiff in the above referenced matter. Your Honor previously set and then revised a schedule for the service of papers on Defendants' motion to dismiss. By that schedule, Plaintiff's opposition papers were due yesterday, November 6, and Defendants' reply papers were due November 12, which was also the return date of the motion.

Unfortunately, I had to undertake a trip to Oakland, California, to attend to my elderly father over the past weekend and I was unable to complete Plaintiff's opposition papers by yesterday's deadline. I communicated this situation to Defendants' counsel Ed Rudofsky, Esq., who graciously consented to a brief adjustment of the motion schedule.

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At this time, the parties jointly request that the motion return date be extended to November 20, 2007, and that the time for Plaintiff to serve opposition papers be extended to and including November 13, 2007, and that Defendants' time to serve reply papers be extended to and including November 20, 2007.

We thank Your Honor for consideration and courtesy in this matter and look forward to hearing from you shortly.

Very truly yours,

H. Nicholas Goodman
H. Nicholas Goodman

cc.: Ed Rudofsky, Esq. (by electronic mail)

→ 11/7/07 - I grant this request.
There will be no oral argument unless
Judge Cote calls for oral argument.

Dwight F. Eaton

MEMO ENDORSED